

FISCAL NOTE

Bill #: HB0014

Title: Const. amend. to limit misdemeanor trial to either lower or district court

Primary Sponsor: Shockley, J

Status: As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Net Impact on General Fund Balance:	\$0	\$0

- | | |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

1. Misdemeanor criminal trials are generally held in lower courts and are subsequently appealed to the District Court level.
2. The state pays certain costs related to criminal jury trials, including jury fees (\$12/day for jurors called to serve but not selected, \$25/day for jurors selected to serve) and juror travel costs.
3. The bill will potentially decrease the number of jury trials at the District Court level for misdemeanor criminal appeals, which would reduce jury costs paid by the state for this type of trial.
4. It is not possible to project the number of defendants that would request a jury trial in the lower court, thereby eliminating the possibility of a jury trial at the District Court level.
5. Each District Court judge maintains a docket of cases awaiting action in a court. The number of jury trials per year remains materially constant.
6. A reduction in the number of jury trials for criminal misdemeanor appeals opens the docket for other jury trials. The Judicial Branch would not see a decrease in jury costs due to fewer criminal misdemeanor jury trials. There is no fiscal impact related to this bill.